

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:
BODNER & O' ROURKE, L.L.P.
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 UNITED STATES OF AMERICA

INVITATION TO PAY ADDITIONAL FEES

(PCT Article 17(3)(a) and Rule 40.1)

		Date of mailing (day/month/year) 02/08/2004
Applicant's or agent's file reference	PAYMENT DUE within 45 months/days from the above date of mailing	
International application No. PCT/US 03/32590	International filing date (day/month/year) 16/10/2003	
Applicant: MESSINA, Joseph Leo, Jr.		

1. The International Searching Authority

(i) considers that there are 2 (number of) inventions claimed in the international application covered by the claims indicated ~~below~~ on the extra sheet:

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated ~~below~~ on the extra sheet:

(ii) has carried out a partial international search (see Annex) will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:
see annex

(iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid

2. The applicant is hereby invited, within the time limit indicated above, to pay the amount indicated below:

<u>EUR 945.00</u>	<input type="checkbox"/>	<u>1</u>	<u>EUR 945.00</u>
Fee per additional invention		number of additional Inventions	total amount of additional fees

Or,

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest; i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. Claim(s) Nos. _____ have been found to be unexaminable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been examined with any invention.

Name and mailing address of the International Searching Authority	Authorized officer
 European Patent Office, P.O. Box 6810, Pottenlaan 2, NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Fax. 31 651 000-11 Fax: (+31-70) 340-3016	Laure ACTHAVI

Form PCT/ISA/206 (July 1992)

INVITATION TO PAY ADDITIONAL FEES

International application No. PCT/US 03/32590
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This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-12

Apparatus for creating an image

2. Claims: 13-16

Apparatus for applying material to a substrate

The feature common to all claims 1-16 is a brush means. Brush means is commonly known.

Therefore the common feature is not a special technical feature within the meaning of PCT Rule 13.2, second sentence, since it makes no contribution over the prior art.

Since no other common feature exists which can be considered as a special technical feature within the meaning of PCT Rule 13.2, second sentence, no technical relationship within the meaning of PCT Rule 13 between the different inventions can be seen.

Consequently claims 1-16 do not satisfy the requirement of unity of invention.

1. The present communication is an Annex to the invitation to pay additional fees (Form PCT/ISA/206). It shows the results of the international search established on the parts of the international application which relate to the invention first mentioned in claims Nos.:
 1-12
2. This communication is not the international search report which will be established according to Article 18 and Rule 43.
3. If the applicant does not pay any additional search fees, the information appearing in this communication will be considered as the result of the international search and will be included as such in the international search report.
4. If the applicant pays additional fees, the international search report will contain both the information appearing in this communication and the results of the international search on other parts of the international application for which such fees will have been paid.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	DE 11 72 996 B (CEPELLI ALFREDO DI GIBERTINI V) 25 June 1964 (1964-06-25) column 2, line 44 -column 3, line 79; figures 1-3	1-12
A	DE 355 014 C (SUEDDEUTSCHE KUNSTWERKSTAETTEN) 17 June 1922 (1922-06-17) page 1, line 43 -page 2, line 22; figures 1,2	1-12
A	DE 873 225 C (MAIER KOMM GES W) 13 April 1953 (1953-04-13)	
A	DE 562 583 C (HUDSON MOTOR CAR CO) 27 October 1932 (1932-10-27)	
A	DE 21 00 128 B (SEEFLUTH UWE) 31 August 1972 (1972-08-31)	

Further documents are listed in the continuation of box C.

Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubt on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

FROM BODNER & O' ROURKE, LLP

(THU) AUG 26 2004 12:34/ST. 12:32/NO. 6334462191 P 6

Information on patent family members

PCT/US 03/32590

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
DE 1172996	B 25-06-1964	NONE	
DE 355014	C 17-06-1922	NONE	
DE 873225	C 13-04-1953	NONE	
DE 562583	C 27-10-1932	NONE	
DE 2100128	B 31-08-1972	DE 2100128 B1	31-08-1972

Form PCT/ISA/200 (patent family annex) (July 1992; reprint January 2004)